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10/767,589	01/29/2004	Karl Heinz Kremer	HI0476/DPS	5210
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EXAMINER NGUYEN, ALLEN H				
ART UNIT 2625		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/767,589

Applicant(s)

KREMER ET AL.

Examiner

ALLEN H. NGUYEN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

- This office action is responsive to the following communication:
Amendment filed on 12/27/2007.
- Claims 1-20 are currently pending in the application.

Response to Arguments

1. Applicant's arguments filed 12/27/2007 have been fully considered but they are not persuasive.
2. With respect to applicant's argument that Kuwata (US 2003/0222916) does not teach a computer program to "select a template for a bank of tabs from the stored templates" and further using this template activate one or more tab positions but Kuwata actually uses flags.

In reply: Regarding claim 7, Kuwata '916 discloses a method for adding tabs to a document (Tab Sheets, fig. 2) and generating a tabulated document (Tab Set/New to define a collection of tab sheets, paragraph [0019], fig. 2) comprising:

storing a multi-page document with a reference corner for locating tabs (the user selects the one or more tabs to be copied by placing a check mark in a location associated with the tab, page 2, paragraph [0023], fig. 2, Tab Sheets);

storing one or more templates of bank(s) of potential tabs (the user positions the cursor at the place where the new tab is to be inserted, and chooses an Insert New Tab selection to insert a blank new tab; page 2, paragraph [0024]) including the size of each

tab (Font Size, fig. 2) and the location of each tab (Alignment, fig. 2) relative to a reference corner of a stored multi-page document (a thumbnail view of multiple pages, fig. 3);

selecting a template of a bank of potential tabs from the stored templates (i.e., to activate the tabs, the user selects the one or more tabs by placing a check mark in a location associated with the tab, page 2, paragraph [0023], fig. 2, Tab Sheets); [displaying locations of the tabs with respect to the reference corner of the multi-page document] creating a bank of actual potential tab locations in a tab creator table according to the line-by-line information in the template to enable one or more active tab (i.e., to insert a new tab, the user positions the cursor at the place where the new tab is to be inserted, and chooses an Insert New Tab selection to insert a blank new tab; see page 2, paragraph [0024]);

at one or more tab locations in the actual bank of tabs (Bank, Tab Sheets, fig. 2), selecting one or more page locators by (Before Page, fig. 2) entering a page number of the multi-page document where tab will appear (Tab Caption, fig. 2);

adding indicia to the selected tabs (i.e., the user selects the one or more tabs by placing a check mark in a location associated with the tab, see page 2, paragraph [0023]);

printing the selected tabs (i.e., the data object is for storing data representative of the tab text, related attributes, and properties of the media on which the tab text is printed, page 1, paragraph [0005]) and discarding the unselected tabs (i.e., to delete a

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tab caption, the user selects one or more tabs to be deleted (or cut) by placing a check mark in a field associated with each tab; see page 2, paragraph [0025]).

Specification

3. The disclosure is objected to because of the following informalities:

In Specification, page 5, line 12,

"Gates 1021 and 1023" should be changed to - - Gates 1022 and 1024 - -.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-6 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 1, the limitation "a resumption pointer" and how it works is subject matter which was not described in the specification in such a way as to

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reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 2-6, claims 2-6 are rejected under 35 U.S.C. 112, first paragraph because they depend on rejected claim 1.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuwata et al. (US 2003/0222916).

Regarding claim 7, Kuwata '916 discloses a method for adding tabs to a document (Tab Sheets, fig. 2) and generating a tabulated document (Tab Set/New to define a collection of tab sheets, paragraph [0019], fig. 2) comprising:

storing a multi-page document with a reference corner for locating tabs (the user selects the one or more tabs to be copied by placing a check mark in a location associated with the tab, page 2, paragraph [0023], fig. 2, Tab Sheets);

storing one or more templates of bank(s) of potential tabs (the user positions the cursor at the place where the new tab is to be inserted, and chooses an Insert New Tab selection to insert a blank new tab; page 2, paragraph [0024]) including the size of each tab (Font Size, fig. 2) and the location of each tab (Alignment, fig. 2) relative to a reference corner of a stored multi-page document (a thumbnail view of multiple pages, fig. 3);

selecting a template of a bank of potential tabs from the stored templates (i.e., to activate the tabs, the user selects the one or more tabs by placing a check mark in a location associated with the tab, page 2, paragraph [0023], fig. 2, Tab Sheets); [displaying locations of the tabs with respect to the reference corner of the multi-page document] creating a bank of actual potential tab locations in a tab creator table according to the line-by-line information in the template to enable one or more active tab (i.e., to insert a new tab, the user positions the cursor at the place where the new tab is to be inserted, and chooses an Insert New Tab selection to insert a blank new tab; see page 2, paragraph [0024]);

at one or more tab locations in the actual bank of tabs (Bank, Tab Sheets, fig. 2), selecting one or more page locators by (Before Page, fig. 2) entering a page number of the multi-page document where tab will appear (Tab Caption, fig. 2);

adding indicia to the selected tabs (i.e., the user selects the one or more tabs by placing a check mark in a location associated with the tab, see page 2, paragraph [0023]);

printing the selected tabs (i.e., the data object is for storing data representative of

the tab text, related attributes, and properties of the media on which the tab text is printed, page 1, paragraph [0005]) and discarding the unselected tabs (i.e., to delete a tab caption, the user selects one or more tabs to be deleted (or cut) by placing a check mark in a field associated with each tab; see page 2, paragraph [0025]).

Regarding claim 8, Kuwata '916 discloses the method wherein the tabs are inserted (a user interface that allows a user to generate tab information that can easily be managed through a number of processes, including editing, inserting, deleting, copying, etc.; see page 1, paragraph [0011]) at a position relative to the selected page (Bank, Tab Sheets, fig. 2) and wherein that position is one of the group consisting of at, before, or after the selected page (Before Page, fig. 2) and wherein displaying locations of the tabs with respect to the reference corner of the multi-page document (i.e., the user selects a List View option, the text of all the corresponding tabs is displayed in a editable line-by-line list; see page 2, paragraph [0020]).

Regarding claim 9, Kuwata '916 discloses the method comprising the further step of adding one or more bank(s) of tabs from the selected tab template (the user selects the one or more tabs by placing a check mark in a location associated with the tab, see page 2, paragraph [0023], fig. 2) by identifying the first of a bank of tabs as active or not and if not then query the next bank of tabs and if active query each tabular line in the bank separately to save time and resources (i.e., the tab positions are associated with

the number of tabs per tab sheet, and then automatically wrap around to the first position of the next tab set; see page 2, paragraph [0021]).

Regarding claim 10, Kuwata '916 discloses the method further comprising storing one or more indicia templates with sets of indicia corresponding to tabular indicia (a List View option, the text of all the corresponding tabs is displayed in a editable line-by-line list; see page 2, paragraph [0020], fig. 3) wherein position and size of the imagable area on the tab is variable and controlled by the tab creator not the template (i.e., the view object stores data representative of form and display control information for displaying the tab information in one of a single-line editable text format, a tab sheet thumbnail format or a readable text format; see page 1, paragraph [0005]).

Regarding claim 11, Kuwata '916 discloses the method comprising the further step of removing banks of unused tabs (to delete a tab caption, the user selects one or more tabs to be deleted (or cut) by placing a check mark in a field associated with each tab; see page 2, paragraph [0025]).

Regarding claim 12, Kuwata '916 discloses the method comprising the further step of removing actual or logical banks of unused tabs (to move a tab caption, the user selects the one or more tabs to be moved by placing a check mark in a field associated with each tab, and chooses an Edit/Cut selection to remove the tabs; see page 2, paragraph [0026]).

Regarding claim 13, Kuwata '916 discloses a method of creating tabulated pages and inserting the tabulated pages into a document to tabulate the document comprising:

on a graphical user interface (a user interface screenshot of the line view provided by the view object, page 2, paragraph [0019]), adding a bank of ordered tabulated pages to a table (Add Bank, fig. 2);

activating one or more tabs by selecting a page in the multipage document for locating the tab (Tab Sheets, fig. 2);

entering text data for active tabs (Tab Caption, fig. 2);

entering style data for selected tabs (Font Style, fig. 2);

designating the location of each tab relative to its selected page (Alignment, fig. 2).

Regarding claim 14, Kuwata '916 discloses the method wherein the relative location of a tab is selected from the group of relative locations consisting of before (Before Page, fig. 2), on and after the page (i.e., Tab 1 is before page 1. Therefore Tab 2 is after page 1; see fig. 2, Before Page).

Regarding claim 15, Kuwata '916 discloses a method for adding tabs to a document (Insert Tab Pages, fig. 2) comprising the steps of

opening a graphical user interface for creating tabs (i.e., a user interface that allows a user to generate tab information; see page 1, paragraph [0011], fig. 2, Insert Tab Pages);

selecting a potential tab layout template of a bank of potential tabs from

the stored templates (the user can select the one or more tabs by placing a check mark in a location associated with the tab, see page 2, paragraph [0023]);

selecting a tab style template (Font Style, fig. 2) or specify the tab style attributes (i.e., the tab attributes include the text font name and size, the orientation and layout of the text in the tab area, the tab position on the tab sheet, and the position of the tab sheet in the overall document compilation; see page 1, paragraph [0016]);

selecting a tab label template or creating tab text (i.e., the user invokes the tab text printing features; Page 1, paragraph [0014]);

verifying that the labels of text fit the tabs (i.e., the tabs data and associated tab properties are then saved to a data file; see page 2, paragraph [0022], fig. 2, Tab Caption Chapter 1);

activating one or more tabs to enable one or more active tabs by adding a document page number to identify the relative location of the tab (i.e., to activate Tabs, the user selects the one or more tabs by placing a check mark in a location associated with the tab, page 2, paragraph [0023]);

selecting the location of the tab relative to the page from the group consisting of before, on and after the page number (Bank, Tab Sheets, Before Page and Tab Caption shown on fig. 2 displaying locations of the tabs with respect to the multi-page document).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwata et al. (US 2003/0222916) in view of Schwier et al. (US 2005/0206954).

Regarding claim 16, Kuwata '916 discloses an apparatus for printing tabulated documents comprising:

a memory (i.e., where the object-based architecture/Tab Information is resident in a client computer as an embodiment of system 100; page 1, paragraph [0014], fig. 1) for storing one or more templates of a bank of tabs including the position of each tab in each bank of tabs relative to the reference corner of a document and the size of each tab (i.e., the system 100 includes a software algorithm 106 that defines the behavior of the tab processing within the system 100 by performing object processing with a view model (or object) 108 and a data model (or object) 110; see page 1, paragraph [0014], fig. 2);

a computer program operable to select a template for a bank of tabs from the stored templates (i.e., the code of the software algorithm 106 defines the system behavior during processing and editing of the tab objects; page 1, paragraph [0014]);

a display device for displaying a graphic user interface showing locations of tabs with respect to the reference location (the algorithm also provides a user interface that allows a user to generate tab information that can easily be managed through a number of processes; page 1, paragraph [0011]);

said computer program (program modules, page 1, paragraph [0012]) further operable to activate one or more of the tab positions of the bank of tabs (Tab Sheets, fig. 2) when said tab position (Alignment, fig. 2) is designated at a page of a multipage document (Before Page, fig. 2);

said computer program (program modules, page 1, paragraph [0012]) operable to add indicia to the activated tabs (Add Bank, fig. 2); a print engine for printing the document including inserting printed tabs with indicia into the document (the data object 110 includes the tab text, related tab attributes, and properties of the tab paper used in, for example, a printer controller from which the tab sheet will be printed; see page 1, paragraph [0016], fig. 1);

Kuwata '916 does not disclose a printer having supply bins for holding print stock in one bin and tab stock in another bin;

discharge bins including one bin for receiving the printed, tabulated document and another bin for receiving unused tabs not activated by the computer program.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Schwier '954. In particular, Schwier '954 teaches a printer having supply bins (Input Trays, fig. 3) for holding print stock in one bin and tab stock in another bin (i.e., the control device 14 controls the input trays 15 such that a predetermined sheet to

be printed such as, for example, a white page of paper of a register page is drawn from a specific input tray 15/1, 15/2, 15/3, is supplied to the printing unit 13; see page 3, paragraph [0029], fig. 3);

discharge bins (Output Trays, fig. 3) including one bin for receiving the printed, tabulated document and another bin for receiving unused tabs not activated by the computer program (i.e., the printing unit 13, is printed there if applicable, is further transported from the printing unit 13 to the fixing station 17, and there is fixed and then deposited in a predetermined output tray 18/1, 18/2, 18/3; see page 3, paragraph [0029], fig. 3).

In view of the above, having the system of Kuwata '916 and then given the well-established teaching of Schwier '954, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Kuwata '916 as taught by Schwier '954 to include: a printer having supply bins for holding print stock in one bin and tab stock in another bin; discharge bins including one bin for receiving the printed, tabulated document and another bin for receiving unused tabs not activated by the computer program, since Schwier '954 stated on page 1, paragraph [0004] that such a modification would ensure professional printing systems are often equipped with a function that allows the automatic printing of register pages.

Regarding claim 17, Kuwata '916 discloses the apparatus wherein the memory (i.e., where the object-based architecture/Tab Information is resident in a client

computer as an embodiment of system 100; page 1, paragraph [0014], fig. 1) further stores templates of labels for tabular indicia (Tab Sheets, fig. 2).

Regarding claim 18, Kuwata '916 discloses the apparatus wherein the memory (i.e., where the object-based architecture/Tab Information is resident in a client computer as an embodiment of system 100; page 1, paragraph [0014], fig. 1) further stores templates of styles for tabular indicia (Font Style, fig. 2).

Regarding claim 19, Kuwata '916 discloses the apparatus wherein the memory (i.e., where the object-based architecture/Tab Information is resident in a client computer as an embodiment of system 100; page 1, paragraph [0014], fig. 1) further stores templates of banks of ordered tabular media (Add Bank, fig. 2).

Regarding claim 20, Kuwata '916 discloses the apparatus further comprising means (program modules, page 1, paragraph [0012]) for removing banks of actual or logical unused tabs (i.e., to move a tab caption, the user selects the one or more tabs to be moved by placing a check mark in a field associated with each tab; see page 2, paragraph [0026]).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Young (US 6,177,933) discloses providing visual continuity when displaying related information.

Sapienza et al. (US 2002/0033595) discloses indexing system package and display system.

Fernandez et al. (US 2002/0075504) discloses method and apparatus for automatically indexing a document with tabbed sheets.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ALLEN H. NGUYEN** whose telephone number is (571)270-1229. The examiner can normally be reached on M-F from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571)-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Allen H Nguyen/
Examiner, Art Unit 2625

03/06/2008

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625